

# UNITED STATES ATTORNEY DEBORAH R. GILG DISTRICT OF NEBRASKA

#### GRAND JURY FOR THE DISTRICT OF NEBRASKA

May 23, 2011

United States Attorney Deborah R. Gilg announced the federal Grand Jury for the District of Nebraska has returned 38 indictments charging 39 defendants. Indictments are charging documents that contain one or more individual counts that are merely accusations, and every defendant is presumed innocent unless and until proven guilty.

Jose Balan-Sierra, age 32, of Omaha, is charged in a three count Indictment. Count I charges that on or about December 9, 2010, Balan-Sierra misused a Social Security Card and a Nebraska Operator's License to meet a requirement of the employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II alleges Balan-Sierra falsely claimed United States Citizenship on or about December 9, 2010. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count III of the Indictment charges Balan-Sierra with misuse of a Social Security Number on or about December 9, 2010. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100.

Dajuan L. Ball, also known as Dajuan Lamar Ball, also known as D. L., age 29, was charged in a five count indictment. Count I alleges that beginning on or about March 1, 2010, and continuing to on or about March 30, 2011, the defendant conspired with others to distribute 280 grams or more of a mixture or substance containing a detectable amount of cocaine base ("crack cocaine"). The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$10 million fine, a 5 year term of supervised release, and a \$100 special assessment. Count II alleges that on or about January 17, 2011, the defendant distributed a mixture or substance containing a detectable amount of cocaine base ("crack cocaine"). The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 5 year term of supervised release, and a \$100 special assessment. Count III alleges that on or about January 20, 2011, the defendant distributed a mixture or substance containing a detectable amount of cocaine base ("crack cocaine"). The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 5 year term of supervised release, and a \$100 special assessment. Count IV alleges that on or about March 28, 2011, the defendant distributed a mixture or substance containing a detectable amount of cocaine base ("crack cocaine"). The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 5 year term of supervised release, and a \$100 special assessment. Count V alleges that on or about March 30, 2011, the defendant possessed with intent to distribute a mixture or substance containing a detectable amount of cocaine base ("crack cocaine"). The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 5 year term of supervised release, and a \$100 special assessment. The indictment also alleges any and all property constituting or derived from any proceeds the defendant

obtained directly or indirectly as a result of the violation alleged in Count I of the indictment, including but not limited to \$506.00 in United States currency seized on March 30, 2011, should be forfeited to the United States.

Contact Organized Crime, Drug Enforcement Task Force Chief Susan Lehr at 402-661-3700 for further information.

James W. Ball, Jr., age 41, of Oakland, California, is charged in a three count Indictment. Count I of the Indictment alleges that on or about April 30, 2011, Ball, knowingly and with intent to defraud, possessed device making equipment in a manner affecting interstate commerce. The maximum possible penalty is imprisonment of 15 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II of the Indictment charges Ball with possession of more than 15 counterfeit cards containing account information regarding true account holders on or about April 30, 2011. It is alleged Ball used these counterfeit cards to purchase items of value at the United States Postal Service Automated Postage Center machines located in Omaha and the surrounding area. The maximum possible penalty is imprisonment of 10 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. In Count III Ball is charged with the production and use of counterfeit access devices on or about April 30, 2011. Ball purchased stamps through various United States Postal Service Automated Postage Center machines through the use of five counterfeit access devices containing account numbers issued by Flagstar Bank in Michigan to true customers who reside outside the State of Nebraska. The maximum possible penalty is imprisonment of 10 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.

\* Cesar Barradas-Viveros, age 28, of Madison, Nebraska, is charged with illegal reentry into the United States on or about March 12, 2011, following deportation as a felon. The maximum possible penalty is imprisonment of 10 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.

# Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* **Jose Manuel Castro Moreno**, age 28, of Lexington, Nebraska, is charged with illegal reentry into the United States on or about December 25, 2010, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

# Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

Rocio Chavez, age 43, of Wilber, Nebraska, is charged in a three count Indictment.

Count I of the Indictment charges Chavez with misuse of a Social Security Number on or about February 22, 2010. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100. Count II charges that on or about February 22, 2010, Chavez misused a Social Security Card and a Nebraska Identification Card to meet a requirement of the employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count III alleges Chavez falsely claimed United States Citizenship on or about February 22, 2010. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

\* Angel Chavez-Adame, age 35, of Schuyler, Nebraska, is charged with illegal reentry into the United States on or about May 15, 2011, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

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\* Alyssa Costanzo, age 20, of Omaha, was charged with conspiring to distribute and possess with intent to distribute 5 grams or more of actual methamphetamine beginning from an unknown date but at least as early as on or about April 1, 2011, and continuing through on or about April 20, 2011. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$5 million fine, a 5 year term of supervised release, and a \$100 special assessment.

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\* Robert E. Cover, age 67, of Omaha, is charged in the first count of an Indictment with receipt and distribution of child pornography from at least March, 2010, to on or about February 9, 2011. Because Cover has previously been convicted in the State of Nebraska of Sexual Assault of a Child, the maximum possible penalty includes imprisonment of not less than 15 years or more than 20 years, a fine of \$250,000, supervised release for life, and a \$100 special assessment. Cover is charged in Count II with possession of child pornography from on or before May 5, 2011. Because Cover has previously been convicted in the State of Nebraska of Sexual Assault of a Child, the maximum possible penalty for this count includes imprisonment of not less than 10 years or more than 20 years, a \$250,000 fine, supervised release for life, and a \$100 special assessment.

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Yuridia Crisanto-Angelito, age 27, of Omaha, is charged in a three count Indictment.

Count I charges that on or about August 11, 2009, Crisanto-Angelito misused a Social

Security Card and a Nebraska State Identification Card to meet a requirement of the
employment verification system in the United States. The maximum possible penalty for
this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised
release, and a \$100 special assessment. Count II of the Indictment charges CrisantoAngelito with misuse of a Social Security Number on or about August 11, 2009. The
maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000,
followed by a term of supervised release of 3 years, and a special assessment of \$100.

Count III alleges Crisanto-Angelito falsely claimed United States Citizenship on or about
August 11, 2009. If convicted the maximum possible penalty includes 3 years
imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

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Julio Cruz-Palacios, age 38, of Schuyler, Nebraska, is charged in a four count Indictment. Count I of the Indictment charges Cruz-Palacios with aggravated identity theft on or about November 23, 2010. The penalty includes a mandatory minimum sentence of imprisonment for 2 years consecutive to any other term of imprisonment imposed on Counts II or III of the Indictment, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count II charges that on or about November 23, 2010, Cruz-Palacios misused a Social Security Card and a Missouri Nondriver License to meet a requirement of the employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000

fine, 3 years of supervised release, and a \$100 special assessment. Count III alleges Cruz-Palacios falsely claimed United States Citizenship on or about November 23, 2010. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count IV of the Indictment charges Cruz-Palacios with misuse of a Social Security Number on or about November 23, 2010. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100.

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\* **Juan Francisco-Basilio**, age 22, is charged with illegal reentry into the United States on or about April 12, 2011, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

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\* Nicolas Francisco-Pablo, age 24, is charged with illegal reentry into the United States on or about April 2, 2011, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

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\* Jolyn Gale, also known as Jolyn Morales-Padilla, age 33, of Omaha, was charged in a two count indictment. Count I alleges that on or about March 29, 2011, the defendant distributed 5 grams or more of actual methamphetamine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$5 million fine, a 5

year term of supervised release, and a \$100 special assessment. Count II alleges that on or about March 31, 2011, the defendant distributed a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 5 year term of supervised release, and a \$100 special assessment.

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\* Susana Guevara, age 23, and Karina Michelle Guevara, age 22, were charged with possessing with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. The maximum possible penalty includes imprisonment of not less than 10 years and up to life, a \$10 million fine, a 5 year term of supervised release, and a \$100 special assessment.

# Contact Organized Crime, Drug Enforcement Task Force Chief Susan Lehr at 402-661-3700 for further information.

Lucino Hernandez-Nino, age 33, of Omaha, is charged in a three count Indictment.

Count I charges that on or about May 27, 2009, Hernandez-Nino misused a Social

Security Card and a Nebraska Identification Card to meet a requirement of the
employment verification system in the United States. The maximum possible penalty for
this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised
release, and a \$100 special assessment. Count II alleges Hernandez-Nino falsely claimed
United States Citizenship on or about May 27, 2009. If convicted the maximum possible
penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a
\$100 special assessment. Count III of the Indictment charges Hernandez-Nino with
misuse of a Social Security Number on or about May 27, 2009. The maximum penalty

for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100.

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Roberto Jacinto-Velasquez, age 27, of Omaha, is charged in a three count Indictment.

Count I charges that on or about December 8, 2010, Jacinto-Velasquez misused a Social Security Card and a Minnesota State Identification Card to meet a requirement of the employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II of the Indictment charges Jacinto-Velasquez with misuse of a Social Security Number on or about December 8, 2010. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100.

Count III alleges Jacinto-Velasquez falsely claimed United States Citizenship on or about December 8, 2010. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

# Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* **Kevin Anthony Johnson**, age 20, of Omaha, is charged in a one count Indictment with possession of a short shotgun on or about February 21, 2011. The maximum possible penalty includes imprisonment for 10 years, a fine of \$250,000, followed by supervised release of 3 years, and a \$100 special assessment.

#### Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* **Hector Magana-Caishpal**, age 39, is charged with illegal reentry into the United States on or about April 11, 2011, after deportation or removal. The maximum possible penalty

if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

## Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

Fabiola Martha-Mejia, also known as Maria Torres-Blanco, age 37, is charged in a four count Indictment. Count I charges that on or about September 21, 2010, Martha-Mejia misused a Social Security Card and a Missouri Identification Card to meet a requirement of the employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II alleges Martha-Mejia falsely claimed United States Citizenship on or about September 21, 2010. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count III of the Indictment charges Martha-Mejia with misuse of a Social Security Number on or about September 21, 2010. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100. Count IV of the Indictment charges Martha-Mejia with illegal reentry into the United States on or about May 3, 2011, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

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\* George Luke Miller, age 20, of Macy, Nebraska, was charged in a two count indictment.

Count I alleges that on or about November 26, 2010, the defendant possessed with intent to distribute less than 50 kilograms of a mixture or substance containing a detectable

amount of marijuana. The maximum possible penalty includes imprisonment of up to 5 years, a \$250,000 million fine, a 3 year term of supervised release, and a \$100 special assessment. Count II alleges that on or about November 26, 2010, the defendant, being an unlawful user of and addicted to a controlled substance, possessed a Ruger .22 caliber rifle. The maximum possible penalty includes imprisonment of up to 10 years, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment.

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\* **John R. Moniz**, age 32, of Omaha, is charged with failure to register as a Sex Offender in the State of Nebraska from on and before May 9, 2007. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, a term of supervised release for life, and a special assessment of \$100.

### Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* David Michael Nabity, age 25, of Omaha, is charged in a one count Indictment. Count I charges Nabity with being a felon in possession of a firearm on or about March 7, 2011.

Nabity was convicted twice, once in 2006 and once in 2004 of burglary. Nabity was also convicted in 2005 of attempted burglary and in 2006 with first degree sexual assault of a minor. The maximum possible penalty includes imprisonment of 15 years, a \$250,000 fine, 5 years of supervised release, and a \$100 special assessment.

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\* Roberto Pablo-Lucas, age 34, of Schuyler, Nebraska, is charged in a four count Indictment. Count I charges that on or about January 7, 2009, Pablo-Lucas misused a Social Security Card and a Kansas Identification Card to meet a requirement of the

employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II alleges Pablo-Lucas falsely claimed United States Citizenship on or about January 7, 2009. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count III of the Indictment charges Pablo-Lucas with misuse of a Social Security Number on or about January 7, 2009. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100. Count IV of the Indictment charges Pablo-Lucas with illegal reentry into the United States on or about January 7, 2009, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

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\* Cesar Reyes-Perez, age 49, is charged with illegal reentry into the United States on or about May 14, 2011, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

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\* Peggie A. Robinson, age 50, of North Platte, is charged with Social Security fraud. The Indictment alleges that on or about January 2, 2009, and continuing to October 7, 2010, Robinson made application to the Social Security Administration which allowed her to receive payments for the use and benefit of another person. Robinson received said

payments and converted some of those payments to a use other than for the use and benefit of such other person. The maximum penalty for this count includes 5 years imprisonment, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.

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Indictment. Count I charges that on or about May 3, 2011, Rodriguez Avalos misused a Social Security Card and a Missouri Identification Card to meet a requirement of the employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II of the Indictment charges Rodriguez Avalos with misuse of a Social Security Number on or about May 3, 2011. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100. Count III alleges Rodriguez Avalos falsely claimed United States Citizenship on or about May 3, 2011. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

# Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* Jorge Rodriguez-Polanco, also known as Jorge Damien Rodriguez, age 28, of Papillion, is charged in a two count Indictment. Count I charges Rodriguez-Polanco with firearm possession by an illegal alien on or about April 16, 2011. The penalty for this count includes imprisonment of 10 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100. Count II of the Indictment charges

Rodriguez-Polanco with illegal reentry into the United States on or about April 16, 2011, following deportation as a felon. The maximum possible penalty is imprisonment of 10 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.

## Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* Jose Rodriguez-Rodela, age 43, of Norfolk, Nebraska, is charged with illegal reentry into the United States on or about March 23, 2011, following deportation as a felon. The maximum possible penalty is imprisonment of 10 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.

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\* Carlos Rodriguez-Villegas, age 31, is charged with illegal reentry into the United States on or about March 12, 2011, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

### Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

Patrick K. Shannon, age 27, of Elkhorn, Nebraska, is charged in the first count of an Indictment with receipt and distribution of child pornography from on or before April 26, 2011. If convicted, the maximum possible penalty includes imprisonment of not less than 5 years or more than 20 years, a fine of \$250,000, supervised release for life, and a \$100 special assessment. Shannon is charged in Count II with possession of child pornography from on or about April 26, 2011. The maximum possible penalty for this count includes imprisonment of 10 years, a \$250,000 fine, supervised release for life, and a \$100 special assessment.

### Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* Jose Silva-Cortes, age 30, of Omaha, is charged with illegal reentry into the United States on or about April 12, 2011, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

### Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* Sebastian Tino, age 30, of Fremont, is charged in a three count Indictment. Count I charges that on or about December 22, 2010, Tino misused a Social Security Card and a Missouri Identification Card to meet a requirement of the employment verification system in the United States. The maximum possible penalty for this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II alleges Tino falsely claimed United States Citizenship on or about December 22, 2010. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count III of the Indictment charges Tino with misuse of a Social Security Number on or about December 22, 2010. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100.

## Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* Evangelina Torres, age 43, of Schuyler, Nebraska, is charged in a three count Indictment. Count I charges that on or about August 14, 2009, Torres misused a Social Security Card and an Iowa Non-Driver Identification Card to meet a requirement of the employment verification system in the United States. The maximum possible penalty for

this count includes imprisonment of 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II of the Indictment charges Torres with misuse of a Social Security Number on or about August 14, 2009. The maximum penalty for this count includes imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of 3 years, and a special assessment of \$100. Count III alleges Torres falsely claimed United States Citizenship on or about August 14, 2009. If convicted the maximum possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

#### Contact Criminal Chief Jan Sharp at 402-661-3700 for further information.

\* Joaquin Urias-Barranco, age 37, of Omaha, is charged in a two count Indictment.

Count I of the Indictment charges Urias-Barranco with misuse of a Social Security

Number on or about January 18, 2011. The maximum penalty for this count includes

imprisonment of 5 years, a fine of \$250,000, followed by a term of supervised release of

3 years, and a special assessment of \$100. Count II alleges Urias-Barranco falsely claimed

United States Citizenship on or about January 18, 2011. If convicted the maximum

possible penalty includes 3 years imprisonment, \$250,000 fine, 1 year of supervised

release, and a \$100 special assessment.

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\* **Jesus Urquides-Urias**, age 33, is charged with illegal reentry into the United States on or about May 13, 2011, following deportation as a felon. The maximum possible penalty is imprisonment of 10 years, a \$250,000 fine, followed by a 3 year term of supervised release, and a \$100 special assessment.

\* Jose Manuel Vargas Rodriguez, age 33, of Omaha, is charged with illegal reentry into the United States on or about May 7, 2011, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, 3 years of supervised release, and a \$100 special assessment.

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\* Precious Williams, age 20, of Omaha, was charged with making materially false, fictitious, and fraudulent statements to a department or agency of the United States by providing false information to the United States Marshal's deputies on or about May 7, 2011, concerning a fugitive's whereabouts. The maximum possible penalty includes imprisonment of up to 5 years, a \$250,000 fine, a three year term of supervised release and a \$100 special assessment.

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